

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Dwight W. Akins
Debtor(s)

Bankruptcy Case No.: 21-21713-CMB
Per October 4, 2021 Proceeding
Chapter: 13
Docket No.: 30 – 22
Concil. Conf.: December 2, 2021 at 09:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 3, 2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Dec. 2, 2021 at 09:30 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteedpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Citizens Bank (Cl. #1) governs as to amount and interest, payment to be determined by Trustee to pay in full; Wilksburg Boro (Cl. #7) .

☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

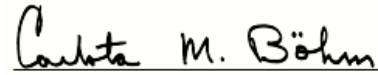
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: October 6, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Dwight W. Akins
Debtor

Case No. 21-21713-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 06, 2021

User: dric
Form ID: 149

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Total Noticed: 44

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 08, 2021:

Recip ID	Recipient Name and Address
db	+ Dwight W. Akins, 729 Midland Street, Pittsburgh, PA 15221-2649
cr	+ Borough of Wilkinsburg, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
cr	+ Peoples Natural Gas Company LLC, GRB Law, Frick Building, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101
15408529	+ Allstate Insurance Co, 120 Clairton Blvd, Pittsburgh, PA 15236-3826
15408535	+ Capital One Bank, c/o David J. Apothaker Esq., 520 Fellowship Road, C306, Mount Laurel, NJ 08054-3410
15420497	+ Duquesne Light Company, c/o Bernstein-Burkley, P.C., 601 Grant Street, 9th Floor, Pittsburgh, PA 15219-4430
15398289	+ Fay Servicing Llc, Attn: Bankruptcy Dept, Po Box 809441, Chicago, IL 60680-9441
15404261	+ Fay Servicing, LLC, c/o McCalla Raymer Leibert Pierce, LLC, Bankruptcy Department, 420 Lexington Avenue, Suite 840, New York, NY 10170-0840
15408544	+ LVNV Funding, c/o Wolpoff & Abramson, 4660 Trindle Road Ste 3rd Fl., Camp Hill, PA 17011-5610
15398290	+ Lendmark Financial Service, 1735 North Brown Road, Suite 300, Lawenceville, GA 30043-8228
15408546	+ MBM Collections, 100 Purity Road, Pittsburgh, PA 15235-4441
15408549	+ North Star Capital Acquisitions, c/o David Apothaker, Esq., 520 Fellowship Road, C306, Mount Laurel, NJ 08054-3410
15418385	+ Oliphant Financial, LLC., Bass & Associates, P.C., 3936 E. Ft. Lowell Rd., Suite 200, Tucson, AZ 85712-1083
15408550	+ Palisades Collections LLC, 4660 Trindle Road 3rd Floor, Camp Hill, PA 17011-5610
15421091	Plaza Revolving Trust by Wilmington Savings Fund S, PO Box 814609, Dallas, TX 75381-4609
15412324	+ Wilkinsburg Borough, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441

TOTAL: 16

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: kburkley@bernsteinlaw.com	Oct 06 2021 23:05:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	+ Email/PDF: rmscedi@recoverycorp.com	Oct 06 2021 23:10:55	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15398280	+ Email/Text: ally@ebn.phinsolutions.com	Oct 06 2021 23:05:00	Ally Financial, Attn: Bankruptcy, Po Box 380901, Bloomington, MN 55438-0901
15420290	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Oct 06 2021 23:11:12	Ally Financial c/o AIS Portfolio Services, LP, 4515 N. Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
15398281	+ Email/Text: bk@avant.com	Oct 06 2021 23:05:00	Avant/WebBank, 222 North Lasalle Street, Suite 1600, Chicago, IL 60601-1112
15398286	Email/Text: Bankruptcy.RI@Citizensbank.com	Oct 06 2021 23:05:00	Citizens Bank, Attention: ROP-15B, 1 Citizens Drive, Riverside, RI 02940
15401262	Email/Text: Bankruptcy.RI@Citizensbank.com	Oct 06 2021 23:05:00	Citizens Bank N.A., One Citizens Bank Way JCA115, Johnston, RI 02919
15398282	+ Email/Text: bankruptcy@usecapital.com	Oct 06 2021 23:05:00	Capital Accounts, Attn: Bankruptcy, Po Box 140065, Nashville, TN 37214-0065
15398283	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 06 2021 23:11:04	Capital One, Attn: Bankruptcy, Po Box 30285,

District/off: 0315-2

User: dric

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			Salt Lake City, UT 84130-0285
15408534	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 06 2021 23:11:04	Capital One Bank, 4851 Cox Road, Glen Allen, VA 23060-6293
15409500	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 06 2021 23:11:04	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15398284	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 06 2021 23:11:12	Capital One/Walmart, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15398285	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Oct 06 2021 23:11:05	Citibank, Citicorp Credit Svcs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
15398287	+ Email/PDF: creditonebknotifications@resurgent.com	Oct 06 2021 23:10:55	Credit One Bank, Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
15408541	+ Email/Text: kbarkley@bernsteinlaw.com	Oct 06 2021 23:05:00	Duquesne Light Company, 411 Seventh Avenue, Pittsburgh, PA 15219-1942
15404273	Email/Text: ktramble@lendmarkfinancial.com	Oct 06 2021 23:05:00	Lendmark Financial Services LLC, 2118 USHER ST, COVINGTON, GA 30014
15408545	+ Email/PDF: resurgentbknotifications@resurgent.com	Oct 06 2021 23:11:05	LVNV Funding, 15 South Main Street, Greenville, SC 29601-2743
15402448	Email/PDF: resurgentbknotifications@resurgent.com	Oct 06 2021 23:10:56	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15411784	Email/PDF: resurgentbknotifications@resurgent.com	Oct 06 2021 23:11:05	LVNV Funding, LLC c/o Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15398292	Email/Text: ml-ebn@missionlane.com	Oct 06 2021 23:05:00	Mission Lane LLC, Attn: Bankruptcy, Po Box 105286, Atlanta, GA 30348
15398291	+ Email/Text: bankruptcy@sccompanies.com	Oct 06 2021 23:05:00	Midnight Velvet, Attn: Bankruptcy, 1112 7th Avenue, Monroe, WI 53566-1364
15417460	+ Email/Text: bankruptcy@sccompanies.com	Oct 06 2021 23:05:00	Montgomery Ward, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
15398293	Email/Text: Bankruptcy.Notices@pnc.com	Oct 06 2021 23:05:00	PNC Bank, Attn: Bankruptcy, Po Box 94982: Mailstop Br-Yb58-01-5, Cleveland, OH 44101
15418675	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 06 2021 23:11:12	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15409428	Email/Text: bnc-quantum@quantum3group.com	Oct 06 2021 23:05:00	Quantum3 Group LLC as agent for, Velocity Investments LLC, PO Box 788, Kirkland, WA 98083-0788
15408552	+ Email/PDF: gecsed@recoverycorp.com	Oct 06 2021 23:11:12	Synco/BP, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15398294	+ Email/PDF: gecsed@recoverycorp.com	Oct 06 2021 23:11:12	Synco/PLCC, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15398860	+ Email/PDF: gecsed@recoverycorp.com	Oct 06 2021 23:11:12	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 28

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Plaza Revolving Trust by Wilmington Savings Fund S
cr	*+	Ally Financial, c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	*+	Fay Servicing, LLC, c/o McCalla Raymer Leibert Pierce, LLC, Bankruptcy Department, 420 Lexington Avenue, Suite 840, New York, NY 10170-0840

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15408530	*+	Ally Financial, Attn: Bankruptcy, Po Box 380901, Bloomington, MN 55438-0901
15408531	*+	Avant/WebBank, 222 North Lasalle Street, Suite 1600, Chicago, IL 60601-1112
15408538	*P++	CITIZENS BANK N A, ATTN BANKRUPTCY TEAM, ONE CITIZENS BANK WAY, JCA115, JOHNSTON RI 02919-1922, address filed with court:, Citizens Bank, Attention: ROP-15B, 1 Citizens Drive, Riverside, RI 02940
15408532	*+	Capital Accounts, Attn: Bankruptcy, Po Box 140065, Nashville, TN 37214-0065
15408533	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15408536	*+	Capital One/Walmart, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15408537	*+	Citibank, Citicorp Credit Svcs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
15398288	*+	Credit One Bank, Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
15408539	*+	Credit One Bank, Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
15408540	*+	Credit One Bank, Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
15408542	*+	Fay Servicing Llc, Attn: Bankruptcy Dept, Po Box 809441, Chicago, IL 60680-9441
15408543	*+	Lendmark Financial Service, 1735 North Brown Road, Suite 300, Lawrenceville, GA 30043-8228
15408548	*P++	MISSION LANE LLC, PO BOX 105286, ATLANTA GA 30348-5286, address filed with court:, Mission Lane LLC, Attn: Bankruptcy, Po Box 105286, Atlanta, GA 30348
15408547	*+	Midnight Velvet, Attn: Bankruptcy, 1112 7th Avenue, Monroe, WI 53566-1364
15408551	*P++	PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court:, PNC Bank, Attn: Bankruptcy, Po Box 94982: Mailstop Br-Yb58-01-5, Cleveland, OH 44101

TOTAL: 1 Undeliverable, 17 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 08, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 6, 2021 at the address(es) listed below:

Name	Email Address
Jennifer L. Cerce	on behalf of Creditor Borough of Wilkinsburg jlc@mbm-law.net
Julie Frazee Steidl	on behalf of Debtor Dwight W. Akins julie.steidl@steidl-steinberg.com leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;cgoga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Maria Miksich	on behalf of Creditor Plaza Revolving Trust by Wilmington Savings Fund Society FSB, not in its individual capacity, but solely as Owner Trustee mmiksich@kmlawgroup.com
Office of the United States Trustee	ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 7